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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/665,109

09/18/2003

Hyuk-Soo Son

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EXAMINER

WHIPKEY, JASON T

ART UNIT

PAPER NUMBER

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/665,109	Applicant(s) SON, HYUK-SOO	
	Examiner Jason T. Whipkey	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-12 is/are rejected.
- 7) ☒ Claim(s) 13-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's submission of a certified translation of the foreign priority document is acknowledged. The rejection of claims 8-12 has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of Shioji.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis (U.S. Patent No. 6,721,001) in view of Endo (U.S. Patent No. 6,763,182), Anderson (U.S. Patent No. 6,683,649), and Shioji (U.S. Patent Application No. 2002/0015100).

Regarding **claim 8**, Berstis discloses a method of managing user data-files in a portable digital apparatus (digital camera 102) having a display device (not shown; see column 4, line 66, through column 5, line 2), and an interface for a recording medium (memory 214; see column 3, lines 4-8), the method comprising the steps of:

generating representative voice files (such as 504 and 510 in Figure 5) and data-files (such as files 502, 506, 508, and 512) in a corresponding directory (a file system may be used, which inherently includes a directory structure; see column 5, line 48) through manipulation by a user (a user captures each file; see column 3, lines 18-28), the representative voice files and data-files sequentially arranged based on the order of generation of the representative voice files and the data-files (see column 5, lines 30-43);

grouping the data-files into groups of files such that each respective group is associated with its representative voice file (files are grouped according to their location relative to other files; see *id.*).

While Berstis discloses that the files are arranged contiguously (see *id.*), he is silent with regard to the files having an index.

Endo discloses an imaging system, wherein:

files have respective names including sequentially arranged file indices based on the order of generation of the representative files (each file is assigned the next index number regardless of its type; see column 5, lines 24-39).

As stated in column 2, lines 35-40, an advantage of giving each file an index is that files can be reproduced chronologically, regardless of their type. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Berstis's system assign each of the sequential files an index.

Berstis is silent with regard to displaying the files of each of the groups.

Anderson discloses a digital imaging device, which:

selectively displays on the display device representative data-files of each of the groups (the device displays a number of images and icons representing grouped files; see Figure 4A and column 8, lines 6-14).

As stated in column 7, lines 50-53, an advantage of such a display is that a user may rapidly view the contents of the camera. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Berstis's system display groups.

Berstis is silent with regard to locating a directory and setting it as a present directory.

Shioji discloses a digital camera that performs the steps of:

locating the corresponding directory to store data-files among directories formed on the recording medium (register 32b stores a pointer to the current recording folder; see paragraphs 65 and 73); and

setting the located corresponding directory as a present directory (register 32b is set; see paragraph 65).

Applying the method of locating and setting a directory described by Shioji to the device disclosed by Berstis would yield the predictable result of avoiding the need to constantly re-locate the directory when each image is written. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Berstis's device locate and set a desired directory, as described by Shioji.

Regarding **claim 9**, Shioji discloses:

when the corresponding directory searched for is not found upon locating the corresponding directory, a new directory is generated and sets the newly generated directory as a present directory (see paragraph 109).

Regarding **claim 10**, Shioji discloses:

the name of the corresponding directory includes a directory index (100, 101, 102, etc., in Figure 2) and a characteristic code ("SANYO" in Figure 2) therein.

Regarding **claim 12**, Shioji discloses:

by the file generation step, the name of each of the data-files includes a characteristic code ("SANY" in Figure 2) and a data-file index (0001, 0003, etc., in Figure 2).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis in view of Endo, Anderson, Shioji, and Go (Japanese Patent Publication No. 2002/091814).

Claim 11 can be treated like claim 10. While Shioji shows in Figure 2 that each file has a characteristic code and index, he is silent with regard to each voice file having a directory index number.

Go discloses a data storage system that stores a plurality of audio files (see Drawing 2). Immediately prior to the file index number is the directory index of the file's corresponding directory (e.g., 1mpeglang101.wav is in folder mpeglang1). As suggested in lines 1-3 of the abstract, an advantage of this naming structure is that it is easier to determine where a file is located. For this reason, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to have Shioji's system include a directory index number in each file name.

Allowable Subject Matter

5. Claims 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 13-15**, no prior art could be located that teaches or fairly suggests a method of managing data files in a digital apparatus, wherein voice files and data files are given sequentially arranged file indices based on the order of generation and grouped by associating a voice file with data files based on their file indices, wherein a voice file is given an index of one plus the highest index and all data files associated with that voice file are assigned subsequent indices.

Conclusion

6. This action is non-final because a new ground of rejection is being applied to claims that are substantively unamended.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Whipkey, whose telephone number is (571) 272-7321. The

Application/Control Number:
10/665,109
Art Unit: 2622

Page 7

examiner can normally be reached Monday through Friday from 9:30 A.M. to 6 P.M. eastern standard time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye, can be reached at (571) 272-7372. The fax phone number for the organization where this application is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTW

JTW
November 27, 2007



LIN YE
SUPERVISORY PATENT EXAMINER